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IP DEPARTMENT  
SONNENSCHN NATH  
& ROSENTHAL LLP  
P.O. BOX 061080  
WACKER DRIVE STATION  
CHICAGO IL 60606

**COPY MAILED**

**DEC 15 2008**

**OFFICE OF PETITIONS**

In re Application of :  
Fries, et al. :  
Application No. 10/787,345 : **DECISION**  
Filed: 26 February, 2004 :  
Attorney Docket No. 11000060-0040 :

This is a decision on the petition filed on 13 November, 2008, considered as a petition under 37 C.F.R. §1.181 (no fee) requesting withdrawal of the holding of abandonment in the above-identified application, alternatively seeking revival of the application under the provisions of 37 C.F.R. §1.137(a), and averring unavoidable delay.

The petition under 37 C.F.R. §1.181 is **DISMISSED**; and the petition under 37 C.F.R. §1.137(a) is **DISMISSED**.

Any request for reconsideration of this decision should be filed **within two (2) months** from the mail date of this decision. *Note* 37 C.F.R. §1.181(f). The request for reconsideration should include a cover letter and be entitled as a "Renewed Petition under 37 C.F.R. §1.181 to Withdraw the Holding of Abandonment."

This is **not** a final agency action within the meaning of 5 U.S.C. §704.

As to the Request to Withdraw  
the Holding of Abandonment

Petitioner is directed to the Commentary at MPEP §711.03(c)(I) for guidance as to the proper showing and timeliness and showing requirements for relief under 37 C.F.R. §1.181.

Petitioner appears not to comply with the guidance in the Commentary at MPEP §711.03(c)(I)—as discussed below, Petitioner has failed to satisfy the showing requirements set forth there.

Petitioner may find it beneficial to review that material and move step-wise through that guidance in the effort to satisfy the showing requirements (statements and supporting documentation). Petitioner, as Counsel registered to practice before the Office, has not made the statements and not provided the documentary support (copy of the docket sheet (or file jacket cover) for the instant application and copy of the due-date docket for the reply due date) required. (See: MPEP §711.03(c)(I).)

As to Allegation of  
Unavoidable Delay

The requirements of a grantable petition pursuant to 37 C.F.R. §1.137(a) are the petition and fee therefor, a reply, a proper showing of unavoidable delay under the regulation, and, where applicable, a terminal disclaimer and fee. (However, it does not appear that a terminal disclaimer and fee are due here.)

Petitioner does not appear to have satisfied the reply and showing requirements as to unavoidable delay.

BACKGROUND

The record reflects as follows:

Petitioner failed to reply to the non-final Office action mailed on 19 December, 2007, with reply due absent extension of time on or before 19 March, 2008.

The application went abandoned by operation of law after midnight 19 March, 2008.

On 12 May, 2008, Petitioner's office sought status in the matter after it appears that Counsel Michael W. Maddox (Reg. No. 47,764) moved from one law firm to another, and on 27 August, 2008, Petitioner's office attempted to revoke/submit a power of attorney, however, the Office Noticed the former office of Mr. Maddox that the required certificate pursuant to 37 C.F.R. §3.73(b) had not been received.

The Office mailed the Notice of Abandonment on 23 September, 2008.

On 30 October, 2008, Petitioner filed a revocation/power of attorney, which the Office acknowledged on 7 November, 2008.

On 13 November, 2008, Petitioner filed a petition averring, *inter alia*, non-receipt, and sought withdrawal of the holding of abandonment pursuant to 37 C.F.R. §1.181, but failed to comply with the express requirements for showing required herein as set forth at MPEP 711.03(c)(I)—including but not limited to the statement of search and non-discovery, the description as to the docketing and/or calendaring system and its reliability, and required documentary support of the

docket sheet (or file jacket cover) of the instant application and the due date calendar for the reply in question. Moreover, there is no statement from Mr. Maddox as the registered practitioner who oversaw the matter at the time of abandonment, nor from Petitioner. Thus, Petitioner failed to demonstrate that the Office action in question was not received (and so docketed, that the system provides sufficient and reasonable reliability and that it therefore does not appear either on the application docket sheet or on the due-date calendar for reply.

Petitioner averred that the delay was unavoidable and expressly invoked the provisions of the regulations under 37 C.F.R. §1.137(a), and, the fee was authorized and is now charged to Deposit Account 19-3140, however, Petitioner failed to satisfy the regulatory (showing and reply) requirements pursuant to the rule.

From the history of this matter, as set out above, it appears that Petitioner's office attempted to move the prosecution of the instant application from one law firm to another and in doing so did not keep track of the Office action in question. Such is not the basis for a petition to withdraw the holding of abandonment pursuant to 37 C.F.R. §1.181 or of a petition to revive pursuant to 37 C.F.R. §1.137(a).

The discussion at MPEP 711.03(c )(I) provides in pertinent part:

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The showing required to establish nonreceipt of an Office communication must include a statement from the practitioner describing the system used for recording an Office action received at the correspondence address of record with the USPTO. The statement should establish that the docketing system is sufficiently reliable. It is expected that the record would include, but not be limited to, the application number, attorney docket number, the mail date of the Office action and the due date for the response.

Practitioner must state that the Office action was not received at the correspondence address of record, and that a search of the practitioner's record(s), including any file jacket or the equivalent, and the application contents, indicates that the Office action was not received. A copy of the record(s) used by the practitioner where the non-received Office action would have been entered had it been received is required.

A copy of the practitioner's record(s) required to show non-receipt of the Office action should include the master docket for the firm. That is, if a three month period for reply was set in the nonreceived Office action, a copy of the master docket report showing all replies docketed for a date three months from the mail date of the nonreceived Office action must be submitted as documentary proof of nonreceipt of the Office action. If no such master docket exists, the practitioner should so state and provide other evidence such as, but not limited to, the following: the application file jacket; incoming mail log;

calendar; reminder system; or the individual docket record for the application in question.<sup>1</sup>

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Out of an abundance of caution, Petitioners always are reminded that the filing of a petition under 37 C.F.R. §1.181 does not toll any periods that may be running any action by the Office and a petition seeking relief under the regulation must be filed within two (2) months of the act complained of (*see*: 37 C.F.R. §1.181(f)), and that those registered to practice and all others who make representations before the Office are reminded to inquire into the underlying facts of representations made to the Office and support averments with the appropriate documentation—since all owe to the Office the continuing duty to disclose.<sup>2</sup>

The availability of applications and application papers online to applicants/practitioners who diligently associate their Customer Number with the respective application(s) now provides an applicant/practitioner on-demand information as to events/transactions in an application.

### STATUTES, REGULATIONS

Congress has authorized the Commissioner to "revive an application if the delay is shown to the satisfaction of the Commissioner to have been "unavoidable." 35 U.S.C. §133 (1994).

#### Allegations as to the Request to Withdraw the Holding of Abandonment

The guidance in the Commentary at MPEP §711.03(c)(I) specifies the showing required and how it is to be made and supported.

Petitioner failed to make the showing required.

#### As to Allegations of Unavoidable Delay

The requirements under 37 C.F.R. §1.137(a) have not been satisfied as of this writing in that Petitioner failed to make the showing of unavoidable delay and provide a reply to the Office action as required.

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<sup>1</sup> See: MPEP §711.03(c) (I) (A).

<sup>2</sup> See supplement of 17 June, 1999. The Patent and Trademark Office is relying on Petitioner's duty of candor and good faith and accepting a statement made by Petitioner. See Changes to Patent Practice and Procedure, 62 Fed. Reg. at 53160 and 53178, 1203 Off. Gaz. Pat. Office at 88 and 103 (responses to comments 64 and 109)(applicant obligated under 37 C.F.R. §10.18 to inquire into the underlying facts and circumstances when providing statements to the Patent and Trademark Office).

### CONCLUSION

Accordingly, The petition under 37 C.F.R. §1.181 is **dismissed**; and the petition under 37 C.F.R. §1.137(a) is **dismissed**.

### ALTERNATIVE VENUE

Should Petitioner wish to revive the application, Petitioner may wish to properly file a petition to the Commissioner requesting revival of an application abandoned due to unintentional delay under 37 C.F.R. §1.137(b). (See:

[http://www.uspto.gov/web/offices/pac/mpep/documents/0700\\_711\\_03\\_c.htm#sect711.03c](http://www.uspto.gov/web/offices/pac/mpep/documents/0700_711_03_c.htm#sect711.03c) )

A petition to revive on the grounds of unintentional delay must be filed promptly and such petition must be accompanied by the reply, the petition fee, a terminal disclaimer and fee where appropriate and a statement that “the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional.” (The statement is in the form available online.)

Further correspondence with respect to this matter should be addressed as follows:

By Mail:                      Mail Stop PETITION  
                                    Commissioner for Patents  
                                    P. O. Box 1450  
                                    Alexandria, VA 22313-1450

By hand:                     U. S. Patent and Trademark Office  
                                    Customer Service Window, Mail Stop Petitions  
                                    Randolph Building  
                                    401 Dulany Street  
                                    Alexandria, VA 22314

By facsimile:                **(571) 273-8300**  
                                    Attn: Office of Petitions

Telephone inquiries regarding this decision may be directed to the undersigned at (571) 272-3214—it is noted, however, that all practice before the Office is in writing (see: 37 C.F.R. §1.2<sup>3</sup>) and the proper authority for action on any matter in this regard are the statutes (35 U.S.C.), regulations (37 C.F.R.) and the commentary on policy (MPEP). Therefore, no telephone discussion may be controlling or considered authority for Petitioner's action(s).



/John J. Gillon, Jr./  
John J. Gillon, Jr.  
Senior Attorney  
Office of Petitions

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<sup>3</sup> The regulations at 37 C.F.R. §1.2 provide:

**§1.2 Business to be transacted in writing.**

All business with the Patent and Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/787,345	02/26/2004	Jeffrey M. Fries	024777.0136PTUS	3974
7590		12/19/2007		
IP Department				
Patton Boggs, LLP				
Suite 3000				
2001 Ross Avenue				
Dallas, TX 75201				
			EXAMINER	
			TIEU, BINH KIEN	
			ART UNIT	PAPER NUMBER
			2614	
			MAIL DATE	DELIVERY MODE
			12/19/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/787,345

Applicant(s)

FRIES ET AL.

Examiner

/BINH K. TIEU/

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_



**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Rakotoarivelo et al. (Pub. No.: US. 2003/0212685).

***Regarding claim 1***, Rakotoarivelo et al. ("Rakotoarivelo") teaches a computerized system for automatically updating the layout of a telecommunications network, the system comprising:

a maintenance entry component (i.e., user interface 15 as shown in figure 1) for receiving maintenance information (see paragraph [0045]); and

a structural database component that updates the physical layout database of the network to reflect equipment has been added or removed from the physical layout of the telecommunications network (see paragraphs [0052]).

3. Claims 8-10 and 14-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Galou et al. (US. Pat. #: 6,957,263).

**Regarding claim 8**, Galou et al. ("Galou") teaches a method in a computer system for automatically updating the layout of a telecommunications network, the method comprising:

receiving maintenance information that equipment has been added or removed from a physical layout of a telecommunications network (see col.8, line 36 through col.9, line 43); and

automatically updating a physical layout database of the network to reflect that equipment has been added or removed from the physical layout of the telecommunications network, such that information in the physical layout database may be utilized to generate line usage reports (col.13, lines 12-54 and col.14, lines 44-60).

Regarding claim 9, Galou further teaches limitations of the claim in col.14, lines 13-27.

Regarding claim 10, Galou further teaches limitations of the claim in col.5, lines 19-23; col.12, lines 25-33 and col.14, lines 3-8.

Regarding claim 14, Galou further teaches limitations of the claim in col.7, line 51 through col.8, line 48.

**Regarding claim 15**, Galou teaches a method in a computer system for displaying load balance activity, the method comprising:

receiving maintenance information that equipment has been added or removed from a physical layout of a telecommunications network (col.8, lines 20-24 and col.14, lines 9-25);

storing the maintenance information for the associated equipment in the telecommunications network (col.13, lines 46-54; col.14, lines 47-60);

receiving request for line usage information for one or more items of equipment in telecommunications network (col.10, lines 3-16);

accessing maintenance information associated with the one or more items of equipment; and displaying the line usage information and associated maintenance information (col.13, lines 12-45).

Regarding claim 16, Galou further teaches limitations of the claim in col.14, lines 13-27.

Regarding claims 17-19, Galou further teaches limitations of the claim in col.13, lines 3-22 and lines 57-65.

Regarding claim 20, Galou further teaches limitations of the claim in col.7, line 51 through col.8, line 48.

Regarding claims 21-25 are rejected with the same reasons set forth in the rejections of claims 15-20 above.

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later

invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 2-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rakotoarivelo et al. (Pub. No.: US. 2003/0212685) in view of Galou et al. (US. Pat. #: 6,957,263).

Regarding claim 2, Rakotoarivelo teaches all subject matters as claimed above, except for the features of the maintenance information including lines that have been added to a particular line unit. However, Galou teaches such feature in col.11, lines 43-57 for a purpose of establishing route connections.

Therefore, it would have been obvious to one of ordinary skill in the art the time the invention was made to incorporate the use of the features of the maintenance information including lines that have been added to a particular line unit, as taught by Galou, into view of Rakotoarivelo in order to improve maintenance services in wirelined telecommunication networks.

Regarding claim 3, Galou further teaches limitations of the claim in col.14, lines 9-25; col.16, lines 7-28.

Regarding claim 4, Galou further teaches limitations of the claim in col.18, line 45 through col.19, line 6.

Regarding claim 5, Galou further teaches limitations of the claim in col.5, lines 19-23; col.12, lines 25-33 and col.14, lines 3-8.

6. Claims 6-7 and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rakotoarivelo et al. (Pub. No.: US. 2003/0212685) in view of Galou et al. (US. Pat. #: 6,957,263) as applied to claims 1 and 5 above, and further in view of Mehra et al. (US. Pat. #: 7,089,583 as cited in the previous Office Action).

Regarding claims 6-7 and 11-13, Rakotoarivelo and Galou, in combination, teaches all subject matters, except for a maintenance and tracking information including time and date that the information was enter, and an identity of the user entering the maintenance information. However, Mehra et al. ("Mehra") teaches an automated system comprising a Business Development Kit ("BDK") providing the ability to track the history of all changes to an object, including the time and date of a change, the identity of the user, etc. for a purpose of providing security.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of the features of a maintenance tracking component for storing and tracking information including time and date that the maintenance information was enter, and an identity of the user entering the maintenance information, as taught by Mehra, into view of Rakotoarivelo and Galou in order to provide security and to protect the computerized system.

#### ***Response to Arguments***

7. Applicant's arguments with respect to claims 1-25 have been considered but are moot in view of the new ground(s) of rejection.

Application/Control Number:  
10/787,345  
Art Unit: 2614

Page 7

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh K. Tieu whose telephone number is (571) 272-7510 and E-mail address: [BINH.TIEU@USPTO.GOV](mailto:BINH.TIEU@USPTO.GOV).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz, can be reached on (571) 272-7499 and **IF PAPER HAS BEEN MISSED FROM THIS OFFICIAL ACTION PACKAGE, PLEASE CALL CUSTOMER SERVICE FOR THE SUBSTITUTIONS OR COPIES.**

Any response to this action should be mailed to:  
Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Or faxed to:  
(571) 273-8300

Hand Carry Deliveries to:  
Customer Service Window  
(Randolph Building)  
401 Dulany Street  
Alexandria, VA 22314

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the FAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



BINH TIEU  
PRIMARY EXAMINER

Technology Division 2614

Date: December 17, 2007

PATENT

Atty. Docket No. 024777.0136PTUS

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Fries, et al.

Serial No. 10/787,345

Filed: February 26, 2004

§  
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§  
§  
§

Examiner: Binh Kien Tieu  
Confirmation No.: 3974  
Group No.: 2614

For: Computerized System and Method for Updating the Layout of a Telecommunications Network

Commissioner for Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**REQUEST FOR RECONSIDERATION OF HOLDING OF ABANDONMENT**

Regarding the Notice of Abandonment mailed September 23, 2008, Applicant asserts that there is no abandonment in fact. Per MPEP 711.03, Applicant requests the Examiner to reconsider the holding of abandonment because the failure to reply was unavoidable as per 37 CFR 1.137(a).

**REMARKS**

A Notice of Abandonment has been received by the practitioner. The Examiner asserts that Applicant has failed to timely file a proper response to the Office Action mailed on December 19, 2007.

Applicants contend, however, that the abandonment should be rescinded as Applicants failure to reply was unavoidable. In particular, Applicants did not receive this Office Action.

Attached is a Declaration affidavits signed by the IP docket and file coordinator and Senior IP docket clerk for your review and a copy of the docket indicating that no Office Action was received for that date.

The below signed practitioner searched the file jacket for this application and the contents therein and found no indication that the non-received Office Action was ever received. A status request (copy attached) was filed with the Patent Office on May 7, 2008, but no response was ever received.


As the Applicants had not received the Office Action dated December 19, 2007, the abandonment is in error and rescission of the abandonment in accordance with 37 C.F.R. 1.181(a) and MPEP 711.03(c) is hereby requested. Acknowledgment of the active status of this application is respectfully requested.

Applicant contends the abandonment of the above-identified application is a result of the U.S. Patent Office, thus no fee is enclosed with this Petition. The Commissioner is hereby authorized to charge any additional fees required, as well as any patent application processing fees associated with this communication for which full payment has not been tendered, to Deposit Account No. 19-3140.

Acknowledgment of the active status of this application is respectfully requested.

Respectfully submitted,

Date: 11/11/08

By:   
Brian D. Owens (Reg. No. 55,517)  
Sonnenschein, Nath & Rosenthal LLP  
2000 McKinney Ave., Suite 1900  
Dallas, Texas 75202  
(Ofs) 214/259-0900  
(Fax) 214/259-0910



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Fries, et al.

Serial No. 10/787,345

Filed: February 26, 2004

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Examiner: Binh Kien Tieu  
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Respectfully submitted,

Date: 11/11/08

By:   
Brian D. Owens (Reg. No. 55,517)  
Sonnenschein, Nath & Rosenthal LLP  
2000 McKinney Ave., Suite 1900  
Dallas, Texas 75202  
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